

ETW

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

16

Application Number

10/764,246

Filing Date

January 23, 2004

First Named Inventor

Donald Alan Pile, et al.

Art Unit

3641

Examiner Name

Aileen Baker Felton

Attorney Docket Number

R087 1273.1

### ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	See Remarks Section Below:
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

#### Remarks

PTO/SB021 (04/07) Transmittal (1 Sheet);  
PTO/SB017 (02-07) Fee Transmittal (1 Sheet);  
Third Supplemental Information Disclosure Statement (2 Sheets)  
PTO/SB08A (04-07) (1 Sheet);  
Foreign Reference (10 Sheets); Return Postcard (1 Sheet).

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Womble Carlyle Sandridge & Rice, PLLC		
Signature			
Printed name	C. Keith Montgomery		
Date	11/9/07	Reg. No.	45,254

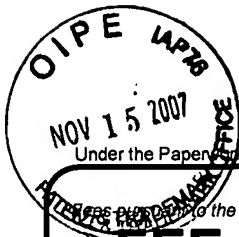
### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	Sharon R. Dunn		
Typed or printed name	November 9, 2007 Sharon R. Dunn	Date	11/09/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

PTO Fee is subject to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2007

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

180.00

### Complete if Known

Application Number	10/764,246
Filing Date	January 23, 2004
First Named Inventor	Donald Alan Pile, et al.
Examiner Name	Aileen Baker Felton
Art Unit	3541
Attorney Docket No.	R087 1273.1

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 09-0528 Deposit Account Name: Womble Carlyle Sandridge & Rice PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

##### Fee Description

Each claim over 20 (including Reissues)

Fee (\$)

50

Small Entity Fee (\$)

25

Each independent claim over 3 (including Reissues)

200

100

Multiple dependent claims

360

180

Total Claims Extra Claims Fee (\$)

Fee Paid (\$)

Multiple Dependent Claims

Fee (\$)

Fee Paid (\$)

- 20 or HP = x =

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$)

Fee Paid (\$)

- 3 or HP = x =

HP = highest number of independent claims paid for, if greater than 3.

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

Fee Paid (\$)

- 100 = / 50 = (round up to a whole number) x =

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Information Disclosure Statement Submission

180.00

#### SUBMITTED BY

Signature	<u>C. Keith Montgomery</u>	Registration No. (Attorney/Agent)	45,254	Telephone	404-872-7000
Name (Print/Type)	C. Keith Montgomery	Date	11/9/07		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**PATENTS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

**Donald A. Pile et al.**

**Serial No.: 10/764,246**

**Filed: January 23, 2004**

**For: PRIMING MIXTURES FOR  
SMALL ARMS**

**Art Unit: 3641**

**Examiner: Aileen Baker Felton**

**Docket No.: R087.1273.1**

**THIRD SUPPLEMENTAL**

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313

Sir:

Applicant requests that the Examiner initial and return a copy of the enclosed Form PTO/SB/08A to indicate in the official file wrapper that each item has been considered.

The following summarizes the status of copies of listed information provided with the instant Information Disclosure Statement:

- A copy of Item A is attached hereto.

**Miscellaneous**

Applicants submit Item A to illustrate inconsistencies between the Swedish priority application and US Pat. No. 5,654,520 to *Boberg*. These inconsistencies were discussed in Applicants' response filed October 2, 2007.

Applicants reserve the right to establish the patentability of the claimed invention over any of the cited information and/or to prove that any purported teaching of the cited information

is not enabled. Applicants also reserve the right to assert that the cited information is not available as a reference, is not prior art, and/or is not "material" to patentability. Applicants further reserve the right to assert that this citation of information does not constitute an admission of priority and/or does not constitute a waiver of any right Applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

This citation of information should not be construed as an admission that Applicants have an obligation to provide this information in the present application or as a representation that an exhaustive search has been made, that the information disclosed is material, that the information disclosed is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102, or that information more material to the examination of this Application does not exist. The order of presentation of information on the attached Form(s) SB/08 should not be construed as an indication of importance of the references. Applicants request that the Examiner conduct an independent and thorough search and examination of all pertinent art, and consider completely the information disclosed hereby, along with any other information, in reaching a determination of patentability.

In accordance with 37 CFR 1.97(c) and 1.17(p), Applicant authorizes the Commissioner to charge \$180.00 to our Deposit Account No. 09-0528 representing the filing fee for filing this Information Disclosure Statement. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to account no. 09-0528.



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Docket No. R087.1273.1